



PTO/SB/22 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) C058																				
In re Application of Jason Hill et al.																						
Application Number 09/738,742		Filed December 15, 2000																				
For NOVEL LIPOPEPTIDES AS ANTIBACTERIAL AGENTS																						
Group Art Unit 1653		Examiner David Lukton																				
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a Reply in the above identified application.</p> <p>The requested extension and appropriate non-small-entity fee are as follows (check time period desired):</p> <table><tr><td><input checked="" type="checkbox"/></td><td>One month (37 CFR 1.17(a)(1))</td><td>\$</td><td>110.00</td></tr><tr><td><input type="checkbox"/></td><td>Two months (37 CFR 1.17(a)(2))</td><td>\$</td><td>400.00</td></tr><tr><td><input type="checkbox"/></td><td>Three months (37 CFR 1.17(a)(3))</td><td>\$</td><td>920.00</td></tr><tr><td><input type="checkbox"/></td><td>Four months (37 CFR 1.17(a)(4))</td><td>\$</td><td>1440.00</td></tr><tr><td><input type="checkbox"/></td><td>Five months (37 CFR 1.17(a)(5))</td><td>\$</td><td>1960.00</td></tr></table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: <u>\$55.00</u>.</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. From PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>50-1986</u>.</p> <p><input checked="" type="checkbox"/> I have enclosed a duplicate copy of this sheet.</p> <p>I am the <input type="checkbox"/> applicant/inventor <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____</p> <p>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p><u>December 17, 2002</u> Date</p> <p><u>Timothy J. Douras</u> Signature</p> <p><u>Timothy J. Douras</u> Typed or printed name</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input checked="" type="checkbox"/> Total of <u>1</u> forms are submitted.</p>			<input checked="" type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$	110.00	<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$	400.00	<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$	920.00	<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$	1440.00	<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$	1960.00
<input checked="" type="checkbox"/>	One month (37 CFR 1.17(a)(1))	\$	110.00																			
<input type="checkbox"/>	Two months (37 CFR 1.17(a)(2))	\$	400.00																			
<input type="checkbox"/>	Three months (37 CFR 1.17(a)(3))	\$	920.00																			
<input type="checkbox"/>	Four months (37 CFR 1.17(a)(4))	\$	1440.00																			
<input type="checkbox"/>	Five months (37 CFR 1.17(a)(5))	\$	1960.00																			

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#10
Extra Time
12/31/02

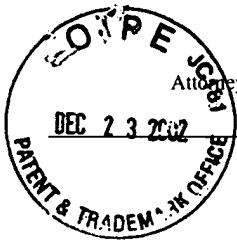
RECEIVED
DEC 30 2002

TECH CENTER 1600/2900

12/26/2002 TBESHAH1 00000063 501986 09738742

01 FC:2251

55.00 CH



Attorney Docket No. C058



1653
8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jason Hill et al.

Serial No.: 09/738,742

Filing Date: DECEMBER 15, 2000

Title: NOVEL LIPOPEPTIDES AS ANTIBACTERIAL AGENTS

Examiner: LUKTON, DAVID

Group Art Unit: 1653

RECEIVED

DEC 30 2002

TECH CENTER 1600/2900

**RESPONSE TO OFFICE ACTION & PETITION FOR EXTENSION OF TIME UNDER
37 CFR 1.136 (a)**

Assistant Commissioner For Patents

Washington, DC 20231

Sir:

Responding to the Office Action dated October 17, 2002, the Applicants enclose an Amendment and a Petition for Extension of Time Under 37 CFR 1.136(a).

Respectfully submitted,

Timothy J. Douros

Attorney for Cubist Pharmaceuticals, Inc.

Registration No. 41,716

Date: December 17, 2002

CERTIFICATE OF FIRST CLASS MAILING (37 CFR §1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: *Assistant Commissioner for Patents, Washington, DC 20231* on December 17, 2002.

Name Timothy J. Douros

Signature

December 17, 2002

Sig. Date